

.....  
(Original Signature of Member)

110TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To establish improved mandatory standards to protect and enhance the health  
of miners.

\_\_\_\_\_  
**IN THE HOUSE OF REPRESENTATIVES**

Mr. GEORGE MILLER of California (for himself and Mr. RAHALL) introduced  
the following bill; which was referred to the Committee on

\_\_\_\_\_  
**A BILL**

To establish improved mandatory standards to protect and  
enhance the health of miners.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Miner Health En-  
5       hancement Act of 2007”.

6       **SEC. 2. SENSE OF CONGRESS.**

7       It is the sense of Congress that—

1           (1) essential standards to protect miner health  
2           established by the Federal Mine Safety and Health  
3           Act of 1977 are out of date after 40 years, posing  
4           a significant threat to miner safety and health; and

5           (2) whereas the Secretary of Labor has failed  
6           in recent years to adequately fulfill the Secretary's  
7           obligations under the Federal Mine Safety and  
8           Health Act of 1977 (30 U.S.C. 801 et seq.) to up-  
9           date these standards, additional Congressional inter-  
10          vention is needed.

11   **SEC. 3. AIR CONTAMINANTS.**

12          Section 101 of the Federal Mine Safety and Health  
13   Act of 1977 (30 U.S.C. 811) is amended by adding at  
14   the end the following:

15          “(f) Notwithstanding the other requirements of this  
16   section, not later than 30 days of the enactment of the  
17   Miner Health Enhancement Act of 2007, the National In-  
18   stitute for Occupational Safety and Health (NIOSH) shall  
19   forward to the Secretary its Recommended Exposure Lim-  
20   its (RELs) for chemical and other hazards to miners,  
21   along with the research data and other necessary informa-  
22   tion. Within 30 days of receipt of this information, the  
23   Secretary shall require the Mine Safety and Health Ad-  
24   ministration (MSHA) to adopt such recommended expo-  
25   sure limits as the Permissible Exposure Limits (PELs)

1 for application in the mining industry. NIOSH shall annu-  
2 ally submit to the Secretary any additional or revised rec-  
3 ommended exposure limits for all hazardous substances  
4 utilized in the mining industry, and the Secretary shall  
5 be obligated to adopt such exposure limits as PELs for  
6 application in the mining industry within 30 days of re-  
7 ceipt of such information. Nothing in this subsection shall  
8 limit the ability of NIOSH to make such recommendations  
9 more frequently than 1 time per year, nor limit MSHA  
10 from establishing requirements for chemical and other  
11 substances in the mining industry that are more com-  
12 prehensive and protective than those established pursuant  
13 to this subsection and in accordance with the other re-  
14 quirements of this section.”.

15 **SEC. 4. ASBESTOS.**

16 Section 101 of the Federal Mine Safety and Health  
17 Act of 1977 (30 U.S.C. 811) is further amended by adding  
18 at the end the following:

19 “(g) The health standard for asbestos established by  
20 the Occupational Safety and Health Administration that  
21 is set forth in section 1910.1001 of title 29, Code of Fed-  
22 eral Regulations, or any subsequent revision of that regu-  
23 lation, shall be adopted by the Mine Safety and Health  
24 Administration for application in the mining industry not

1 later than 30 days of the enactment of the Miner Health  
2 Enhancement Act of 2007.”.

3 **SEC. 5. HAZARD COMMUNICATION.**

4 Section 101 of the Federal Mine Safety and Health  
5 Act of 1977 (30 U.S.C. 811) is further amended by adding  
6 at the end the following:

7 “(h) Unless and until there is additional rulemaking  
8 pursuant to the requirements of this section, the Secretary  
9 shall apply the provisions of the interim final rule of Octo-  
10 ber 3, 2000, concerning hazard communication, in lieu of  
11 the final rule of June 21, 2002, concerning hazard com-  
12 munication.”.